

1 Ford Greene
California State Bar No. 107601
2 HUB LAW OFFICES
711 Sir Francis Drake Boulevard
3 San Anselmo, California 94960-1949
Telephone: (415) 258-0360

4 Attorney for Defendant
5 GERALD ARMSTRONG

6
7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 CHURCH OF SCIENOTOLOGY)
INTERNATIONAL, a California)
not-for-profit religious)
11 corporation;)

12 Plaintiff,)

13 vs.)

14 GERALD ARMSTRONG; THE GERALD)
ARMSTRONG CORPORATION, a)
15 California corporation; DOES)
1-25, inclusive;)

16 Defendants.)
17)
18)

Case No. BC 084 642

DECLARATION OF GERALD ARMSTRONG
SUPPORTING SPECIAL MOTION TO
STRIKE

Date: October 8, 1993
Time: 9:00 a.m.
Dept: 83

Discovery Cut Off: None
Motion Cut Off: None
Trial Date: None

19 I, GERALD ARMSTRONG, declare:

20 1. I am above the age of 18 years old, and am the defendant
21 in the above action. I state the following based upon my own
22 first knowledge and if called upon to do so I could and would so
23 testify in open court. I was served with the complaint in this
24 action on July 30, 1993.

25 2. I became involved with Scientology as a customer in 1969
26 in Vancouver, B.C. I worked on staff there in 1970 and in
27 February 1971 joined the Sea Organization (SO or Sea Org) in Los
28

1 Angeles. I was flown to Spain and joined the Sea Org's flag ship,
2 "Apollo," in Morocco. L. Ron Hubbard, the Sea Org's
3 "Commodore," was on board and operated Scientology internationally
4 through the "crew" which numbered, during my stay on board of four
5 and a half years, around four hundred. All my staff positions on
6 board involved personal contact with L. Ron Hubbard, Mary Sue
7 Hubbard, administrative organization staff and people in the ports
8 and countries the "Apollo" visited, and included "Ship's
9 Representative" (legal representative), "Port Captain" (public
10 relations officer), and "Information Officer" (intelligence
11 officer).

12 3. In the fall of 1975 after the ship operation moved
13 ashore in Florida I was posted in the Guardian's Office (GO)
14 Intelligence Bureau connected to Hubbard's Personal Office. From
15 December 1975 through June 1976 I held the post of Deputy LRH
16 External Communications Aide, a relay terminal for Hubbard's
17 written and telex traffic to and from Scientology organizations.
18 From July 1976 to December 1977 I was assigned, on Hubbard's
19 order, to the "Rehabilitation Project Force" (RPF), the SO prison
20 system. In 1978 I worked in Hubbard's cinematography crew in La
21 Quinta, California making movies under his direction until the
22 fall of that year when he again assigned me to the RPF, this time
23 for eight months first in La Quinta, then at a newly purchased
24 base in Gilman Hot Springs near Hemet, California. When I got out
25 of the RPF in the spring of 1979 and until the beginning of 1980 I
26 worked in Hubbard's "Household Unit" (HU) at Gilman, the SO unit
27 which took care of Hubbard's house, personal effects, transport,
28 meals and so forth, as the "Purchaser," "Renovations In-Charge"

1 and "Deputy Commanding Officer HU."

2 4. Throughout 1980 and until I left the organization in
3 December 1981 I held the organization posts in Hubbard's "Personal
4 Public Relations Bureau" of "LRH Archivist" and "LRH Personal
5 Researcher." I assembled in Los Angeles an archive of Hubbard's
6 writings and other materials relating to his history to be used
7 as, inter alia, the basis for a biography to be written about the
8 man. I also worked in Los Angeles for the first few months of 1980
9 on Mission Corporate Category Sortout (MCCS), which had the
10 purpose of restructuring the Scientology enterprise so that
11 Hubbard could continue to control it without being liable for its
12 actions. (A tape recording of two meetings relating to MCCS's
13 actions subsequently became the subject of Church of Scientology
14 of California v. Zolin. ^{1/}) Beginning in the fall of 1980 and
15 continuing until my departure, I provided the biographical
16 writings and other materials, as I collected and organized them,
17 to Omar Garrison, who had contracted with the organization to
18 write the Hubbard biography. I interviewed many people who had
19 known Mr. Hubbard at periods throughout his life, including almost
20 all of his known living relatives. I traveled several thousand
21 miles collecting biographical information and conducting a
22 genealogy search, and arranged the purchase of a number of
23 collections of Hubbard-related documents and other materials from

24 ¹ United States v. Zolin (9th Cir. 1987) 809 F.2d 1411
25 [government made insufficient showing of illegal advice by
26 Scientology's lawyers to Scientology] was reversed in United
27 States v. Zolin (1989) 109 S.Ct. 2619. On remand the Ninth
28 Circuit found the crime-fraud exception to the attorney-client
privilege applicable. (United States v. Zolin (9th Cir. 1990) 905
F.2d 1344, 1345. cert. denied, Church of Scientology v. United
States (1991) 111 S.Ct. 1309.)

1 individual collectors.

2 5. Through my research and study of documentary evidence I
3 was compelled to conclude that Mr. Hubbard had lied about his
4 past, credentials, accomplishments, relationships and intentions.
5 I obtained evidence which disproved many of the claims made by
6 Hubbard in his biographies printed in Scientology publications and
7 used in promotion of the man and his philosophy and psychotherapy;
8 consequently I attempted to get the organization executives
9 responsible for these publications to correct the disproven
10 claims. As a result I was ordered to be security checked, an
11 invasive interrogation employing an electronic meter as a lie
12 detector, a procedure I had undergone many times in the Sea Org.
13 I had by this time obtained evidence which disproved the
14 significant representations Hubbard had made about himself or his
15 "technology" which had drawn me into and kept me in the
16 organization for over twelve years; e.g., that he was an engineer
17 and an atomic physicist, that he had been crippled and blinded in
18 combat in WW II and had cured himself with his mental science
19 discoveries, that it was a matter of medical record that he had
20 twice been pronounced dead, that his psychotherapy had been
21 subjected to rigorous scientific testing, that it cured all
22 psychosomatic ills and raised IQs a point per hour of therapy (I
23 had by this time had well over a thousand hours), that he had been
24 remunerated for his labors less than staff members were paid (in
25 my case between \$4.30 and \$17.20 per week throughout my 50 years),
26 and that he and his organization were ethical and well-
27 intentioned. When it became clear to me that I was not going to
28 be able to get the organization or Hubbard to admit to the lies

1 and take a more honest path I, and my wife Jocelyn, left the
2 organization.

3 6. Following my departure the organization published a
4 "Declaration" dated February 18, 1982 labelling me a "Suppressive
5 Person (SP)." An SP is considered in Scientology completely
6 psychotic and destructive, one of the two and a half percent truly
7 evil people on the planet. SPs are viewed as enemies of
8 Scientology and mankind and are targets for the organization's
9 "Fair Game Policy," which states specifically that they may be
10 lied to, cheated, sued and destroyed without discipline of the
11 Scientologist committing such acts. The SP Declare also accused
12 me of "spreading destructive rumors about senior Scientologists."
13 I knew in early 1982 that I was the target of Guardian's Office
14 intelligence operations because certain friends were contacted and
15 interrogated about me by known GO intelligence personnel. The
16 organization also appropriated a set of photographs I had
17 entrusted with an associate, Virgil Wilhite, and when I demanded
18 their return told me to get a lawyer.

19 7. A few days later I met with attorney Michael Flynn who
20 agreed to defend me against the organization, which on April 22,
21 1982 published a second SP declare accusing me of eighteen
22 "crimes, high crimes and suppressive acts," including, inter alia,
23 promulgating false information about Hubbard and the organization.
24 In the late spring and summer of 1982 I obtained from Omar
25 Garrison with his permission some of the documents I had delivered
26 to him while in the organization which I considered I would need
27 to defend myself against the organization's charges in the SP
28 declares and whatever actions they would bring against me in the

1 non-Scientology courts. I sent these to Mr. Flynn and to Contos
2 and Bunch, a California law firm which by then had agreed to
3 represent me in Scientology litigation. The organization filed
4 suit against me in the Los Angeles Superior Court on August 2,
5 1982 and the Hubbard biography documents I had sent to my lawyers
6 were ordered by the Court to be deposited with the clerk where
7 they stayed until trial in the spring of 1984.

8 8. In August and September 1982 the organization employed a
9 number of private investigators to surveil and harass my wife and
10 me. During that period one of these investigators assaulted me
11 bodily, and another struck my body with a car, and attempted to
12 involve me a freeway accident by getting in front of my car and
13 slamming on his brakes and pulling alongside my car and swerving
14 into my lane. The organization also attempted to get the Los
15 Angeles Police Department to bring criminal charges against me in
16 connection with the Hubbard documents which had become the subject
17 of the litigation in the Superior Court.

18 9. I filed a cross-complaint in 1982 against various
19 Scientology corporations which was bifurcated from the underlying
20 document case and never tried because it settled in December 1986.
21 The document case was tried without a jury by Judge Paul G.
22 Breckenridge, Jr. who rendered a decision on June 20, 1984.
23 Between that time and the settlement the organization continued
24 its campaign against me which included at least these acts:

- 25 ▶ attempted entrapment;
- 26 ▶ illegal videotaping;
- 27 ▶ filing false criminal charges against me with the Los
28 Angeles District Attorney;

1 ▶ filing false criminal charges against me with the Boston
2 office of the FBI;

3 ▶ filing false declarations to bring contempt of court
4 proceedings against me on three occasions;

5 ▶ obtaining perjured affidavits from English private
6 investigators, who had harassed me in London in 1984, accusing me
7 of distributing "sealed" documents;

8 ▶ international dissemination of Scientology publications
9 falsely accusing me of crimes, including crimes against humanity;
10 and

11 ▶ culling and disseminating information from my supposedly
12 confidential auditing (psychotherapy) file.

13 10. On December 5, 1986 I was flown to Los Angeles, as were
14 several other of Mr. Flynn's clients with claims against the
15 organization to participate in a "global settlement." After my
16 arrival in LA I was shown a copy of a document entitled "Mutual
17 Release of All Claims and Settlement Agreement," hereinafter
18 referred to as "the settlement agreement," and some other
19 documents, which I was expected to sign.

20 11. The settlement agreement has now become a public
21 document, and it and its effects are issues in various lawsuits
22 now pending.

23 12. Upon reading the settlement agreement draft I was
24 shocked and heartsick. I told Mr. Flynn that the condition of
25 "strict confidentiality and silence with respect to [my]
26 experiences with the [organization]" (settlement agreement, para.
27 7D), since it involved over seventeen years of my life, was
28 impossible. I told him that the "liquidated damages" clause

1 (para. 7D) was outrageous; that pursuant to the settlement
2 agreement I would have to pay \$50,000.00 if I told a doctor or
3 psychologist about my experiences from those years, or if I put on
4 a resume what positions I had held during my organization years.
5 I told Mr. Flynn that the requirements of non-amenability to
6 service of process (para. 7H) and non-cooperation with persons or
7 organizations adverse to the organization (paras. 7G, 10) were
8 obstructive of justice. I told him that I felt that agreeing to
9 leave the organization's appeal of the decision in Armstrong and
10 not respond to any subsequent appeals (para. 4B) was unfair to the
11 courts and all the people who had been helped by the decision. I
12 told Mr. Flynn that an affidavit the organization was demanding
13 that I sign along with the settlement agreement was false. That
14 document, which I do not have, stated, inter alia, that my
15 disagreements with the organization had been with prior
16 management, and not with the then-current leadership. In fact
17 there had been no management change and I had the same
18 disagreements with the organization's "fair game" policies and
19 actions which had continued without change up to the time of the
20 settlement. I told him that I was being asked to betray
21 everything and everyone I had fought for against an organization
22 which was based upon injustice.

23 13. In answer to my objections to the settlement agreement,
24 Mr. Flynn said that the silence and liquidated damages clauses,
25 and anything which called for obstruction of justice were not
26 worth the paper they were printed on. He said the same thing a
27 number of times and a number of ways; e.g., that I could not
28 contract away my Constitutional rights; that the conditions were

1 unenforceable. He said that he had advised the organization
2 attorneys that those conditions in the settlement agreement were
3 not worth the paper they were printed on, but that the
4 organization, nevertheless, insisted on their inclusion in the
5 settlement agreement and would not agree to any changes. He
6 pointed out the clauses concerning my release of all claims
7 against the organization to date and its release of all claims
8 against me to date (paras. 1, 4, 5, 6, 8) and said that they were
9 the essential elements of the settlement and were what the
10 organization was paying for.

11 14. Mr. Flynn also said that everyone was sick of the
12 litigation and wanted to get on with their lives. He said that he
13 was sick of the litigation, the threats to him and his family and
14 wanted out. He said that as a part of the settlement he and all
15 co-counsels had agreed to not become involved in organization-
16 related litigation in the future. He expressed a deep concern
17 that the courts in this country cannot deal with the organization
18 and its lawyers and their contemptuous abuse of the justice
19 system. He said that if I didn't sign the documents all I had to
20 look forward to was more years of harassment and misery. One of
21 Mr. Flynn's other clients, Edward Walters, who was in the room
22 with us during this discussion, yelled at me, accusing me of
23 killing the settlement for everyone, and that everyone else had
24 signed or would sign, and everyone else wanted the settlement.
25 Mr. Flynn said that the organization would only settle with
26 everyone together; otherwise there would be no settlement. He did
27 agree to ask the organization to include a clause in my settlement
28 agreement allowing me to keep my creative works relating to L. Ron

1 Hubbard or the organization (para. 7L).

2 15. Mr. Flynn said that a major reason for the settlement's
3 "global" form was to give the organization the opportunity to
4 change its combative attitude and behavior by removing the threat
5 he and his clients represented to it. He argued that the
6 organization's willingness to pay us substantial sums of money,
7 after its agents and attorneys had sworn for years to pay us "not
8 one thin dime" was evidence of a philosophic shift within the
9 organization. I argued that the settlement agreement evidenced
10 the unchanged philosophy of fair game, and that if the
11 organization did not use the opportunity to transform its
12 antisocial nature and actions toward its members, critics and
13 society I would, a few years hence, because of my knowledge of
14 organization fraud and fair game, be again embroiled in its
15 litigation and targeted for extralegal attacks.

16 16. Regarding the affidavit the organization required that I
17 sign, Mr. Flynn said that the "disagreement with prior management"
18 could be rationalized as being a disagreement with L. Ron Hubbard,
19 and since Mr. Hubbard had died in January 1986 it could be said
20 that I no longer had that disagreement. Mr. Flynn said that the
21 organization's attorneys had promised that the affidavit, which
22 all the settling litigants were signing, would only be used by the
23 organization if I began attacking it after the settlement, and
24 since I had no intention of attacking the organization the
25 affidavit would never see the light of day.

26 17. During my meeting with Mr. Flynn in Los Angeles I found
27 myself facing a dilemma which I reasoned through in this way. If
28 I refused to sign the settlement agreement and affidavit all the

1 other settling litigants, many of whom had been flown to Los
2 Angeles in anticipation of a settlement, would be extremely
3 disappointed and would continue to be subjected to organization
4 harassment for an unknown period of time. I had been positioned
5 in the settlement drama as a deal-breaker and would undoubtedly
6 lose the support of some if not all of these litigants, several of
7 whom were key witnesses in my case against the organization.
8 Although I was certain that Mr. Flynn and my other lawyers would
9 not refuse to represent me if I did not sign the documents I also
10 knew that they all would view me as a deal-breaker and they would
11 be as disappointed as the other litigants in not ending the
12 litigation they desperately wanted out of. The prospect of
13 continuing the litigation with unhappy and unwilling attorneys on
14 my side, even though my cross-complaint was set for trial within
15 three months, was distressing. On the other hand, if I signed the
16 documents, all my co-litigants, some of whom I knew to be in
17 financial trouble, would be happy, the stress they felt would be
18 reduced and they could get on with their lives. Mr. Flynn and the
19 other lawyers would be happy and the threat to them and their
20 families would be removed. The organization would have the
21 opportunity they said they desired to clean up their act and start
22 anew. I would have the opportunity to get on with the next phase
23 of my life and the financial wherewithal to do so. I was also not
24 unhappy to at that time not have to testify in all the litigation
25 nor to respond to the media's frequent questions. If the
26 organization continued its fair game practices toward me I knew
27 that I would be left to defend myself and I accepted that fact.
28 So, armed with Mr. Flynn's advice that the conditions I found so

1 offensive in the settlement agreement were not worth the paper
2 they were printed on, and the knowledge that the organization's
3 attorneys were also aware of that legal opinion, I put on a happy
4 face and the following day went through the charade of a
5 videotaped signing.

6 18. It was my understanding and intention at the time of the
7 settlement that I would honor the silence and confidentiality
8 conditions of the settlement agreement, and that the organization
9 had agreed to do likewise.

10 19. Following the December 1986 settlement the organization
11 continued its fair game campaign against me in violation of the
12 spirit and letter of the settlement agreement which primarily
13 consisted of the distribution of false and defamatory statements
14 about me in public and in various lawsuits.

15 20. Since leaving the Scientology organization, I have
16 monitored the conduct of the organization. I am familiar with,
17 and have been the target and victim of the "fair game" doctrine
18 which has been described in a number of published judicial
19 decisions. Although Scientology claims that the "fair game"
20 doctrine has been abandoned, I know from personal experience that
21 this is not true, at least as recently as this year. For
22 instance, Scientology attempted in the first few months of 1993 to
23 have me jailed for contempt of court based upon the false
24 declaration of a lawyer, Laurie Bartilson, who is herself a
25 Scientologist, for acts which Scientology itself set up. This is
26 only the most recent of over a decade of "dirty tricks" which
27 Scientology personnel have directed at me.

28 21. As a result of the activities described above, I have

1 become very familiar with Scientology practices, procedures,
2 policies and policy documents, including those described below.

3 22. Attached to this declaration as Exhibit 1 is a true and
4 correct copy of a portion of Volume II of The Technical Bulletins
5 of Dianetics and Scientology, by L. Ron Hubbard, the founder of
6 Scientology. It includes (at page 157) the following description
7 of Scientology's practice of using litigation to harass its
8 opponents:

9 The purpose of the suit is to harass and discourage
10 rather than to win. [¶] The law can be used very
11 easily to harass, and enough harassment on somebody who
12 is simply on the thin edge anyway ... will generally be
sufficient to cause his professional decease. If
possible, of course, ruin him utterly.

13 23. Attached to this declaration as Exhibit 2 is a true and
14 correct copy of an internal Scientology document, Guardian Order
15 166, dated October 7, 1971. This document was written by the then
16 Guardian, Jane Kember, at the time the most senior Scientology
17 official under L. Ron Hubbard and his wife, Mary Sue Hubbard. GO
18 166 was included in the Intelligence Course Pack which I studied
19 while I was the Intelligence Officer on Scientology's ship, the
20 "Apollo," in the 1970's. This document includes the following
21 explanation that Scientology legal strategy in the U.S. is to use
22 litigation as a financial club:

23 The button used in effecting settlement is purely
24 financial. In other words, it is more costly to
25 continue the legal action than to settle in some
26 fashion. ... [¶] Therefore, it is imperative that
27 legal US Dev-T his opponents and their lawyers with
correspondence (a lawyer's letter costs approx \$50),
phone calls (time costs), interrogatories, depositions
and whatever else legal can mock up. [¶] One of the
bright spots of US legal is that even if you lose you
don't pay your opponent for his legal fees.

28 The term "Dev-T" is a term that Scientology uses to mean to cause

1 someone to do unnecessary work.

2 24. From my personal experience, I know that Scientology
3 does use the litigation approach described by Hubbard and Kember
4 in the quotes above. In various cases, Scientology has subjected
5 me to over 35 days of depositions. As a paralegal working on
6 cases involving Scientology for 16 months for Boston attorney
7 Michael Flynn and for over two years for California attorney Ford
8 Greene, I have observed Scientology's litigation practices.
9 Scientology regularly attempts to bludgeon the opposition into
10 submission with a blizzard of meritless paper, motions,
11 depositions, appeals, writs, State Bar complaints, criminal
12 complaints, perjured testimony and other improper and abusive
13 tactics.

14 25. Attached to this declaration as Exhibit 3 is a true and
15 correct copy of the June 20, 1984 decision by Paul G.
16 Breckenridge, Jr., in the case Church of Scientology of California
17 v. Armstrong, L.A. Superior Court No. C 420 153, which was
18 affirmed on appeal at 232 Cal.App.3d 1060, 283 Cal.Rptr. 917
19 (1991).

20 26. Attached to this declaration as Exhibit 4 is a true and
21 correct copy of the declaration dated June 4, 1993, I provided to
22 the attorneys for Larry Wollersheim in Church of Scientology
23 International v. Wollersheim, L.A.S.C. Case No. BC 074 815.

24 ///

25 ///

26 ///

27 ///

28 ///

1 I declare under the penalty of perjury under the laws of the
2 State of California that the foregoing is true and correct.

3 Executed this September 13, 1993, at San Anselmo, California.
4

5
6
7
8 

9 Gerald Armstrong
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The
Technical Bulletins
of
Dianetics and Scientology

by
L. Ron Hubbard
FOUNDER OF DIANETICS AND SCIENTOLOGY

Volume
II
1954–1956

*Published in
the United States of America
by*

CHURCH OF SCIENTOLOGY OF CALIFORNIA
Publications Organization United States
4833 Fountain Avenue,
East Annex
Los Angeles, California 90029

*The Church of Scientology of
California is a non-profit organization*

Volume II ISBN 0-88404-042-9
Complete Set ISBN 0-88404-051-8

*and in all other countries
by*

AOSH DK Publications Department A/S
Store Kongensgade 55
1264 Copenhagen K,
Denmark

Volume II ISBN 87-87347-82-2
Complete Set ISBN 87-87347-90-3

*Scientology is an Applied Religious Philosophy.
Dianetics® and Scientology® are registered names.*

First Printing 1976
Copyright © 1951, 1954, 1955,
1956, 1976, 1980
by L. Ron Hubbard
ALL RIGHTS RESERVED

No part of this book may be reproduced
without permission of the copyright owner.

The E-Meter is not intended or effective for the diagnosis,
treatment or prevention of any disease.

*Dianetics and Scientology are the trademarks of L. Ron Hubbard
in respect of his published works.*

Reprinted June 1980

IN ALL SUCH CASES OF ARREST FOR THE PRACTICE OF SCIENTOLOGY, THE HASI WILL SEND A REPRESENTATIVE AT ONCE, BUT DO NOT WAIT FOR HIS ARRIVAL TO PLACE THIS SUIT. THE SUIT MUST ALREADY HAVE BEEN FILED WHEN THE HASI ATTORNEY ARRIVES.

In other words, do not, at any moment leave this act unpunished, for, if you do you are harming all other Scientologists in the area. When you are attacked it is your responsibility then to secure from further attack not only yourself but all those who work with you. Cause blue flame to dance on the courthouse roof until everybody has apologized profusely for having dared to become so adventurous as to arrest a Scientologist who, as a minister of the church, was going about his regular duties. As far as the advices of attorneys go that you should not sue, that you should not attack, be aware of the fact that I, myself, in Wichita, Kansas, had the rather interesting experience of discovering that my attorney, employed by me and paid by me, had been for some three months in the employ of the people who were attacking me, and that this attorney had collected some insignificant sum of money after I hired him, by going over to the enemy and acting upon their advices. This actually occurred, so beware of attorneys who tell you not to sue. And I call to your attention the situation of any besieged fortress. If that fortress does not make sallies, does not send forth patrols to attack and harass, and does not utilize itself to make the besieging of it a highly dangerous occupation, that fortress may, and most often does, fall.

The DEFENSE of anything is UNTENABLE. The only way to defend anything is to ATTACK, and if you ever forget that, then you will lose every battle you are ever engaged in, whether it is in terms of personal conversation, public debate, or a court of law. NEVER BE INTERESTED IN CHARGES. DO, yourself, much MORE CHARGING, and you will WIN. And the public, seeing that you won, will then have a communication line to the effect that Scientologists WIN. Don't ever let them have any other thought than that Scientology takes all of its objectives.

Another point directly in the interest of keeping the general public to the general public communication line in good odor: it is vitally important that a Scientologist put into action and overtly keep in action Article 4 of the Code: "I pledge myself to punish to the fullest extent of my power anyone misusing or degrading Scientology to harmful ends." The only way you can guarantee that Scientology will not be degraded or misused is to make sure that only those who are trained in it practice it. If you find somebody practicing Scientology who is not qualified, you should give them an opportunity to be formally trained, at their expense, so that they will not abuse and degrade the subject. And you would not take as any substitute for formal training any amount of study.

You would therefore delegate to members of the HASI who are not otherwise certified only those processes mentioned below, and would discourage them from using any other processes. More particularly, if you discovered that some group calling itself "precept processing" had set up and established a series of meetings in your area, you would do all you could to make things interesting for them. In view of the fact that the HASI holds the copyrights for all such material, and that a scientific organization of material can be copyrighted and is therefore owned, the least that could be done to such an area is the placement of a suit against them for using materials of Scientology without authority. Only a member of the HASI or a member of one of the churches affiliated with the HASI has the authority to use this information. The purpose of the suit is to harass and discourage rather than to win.

The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway, well knowing that he is not authorized, will generally be sufficient to cause his professional decease. If possible, of course, ruin him utterly.

A D.ScN. has the power to revoke a certificate below the level of D.ScN. but not a D.ScN. However, he can even recommend to the CECS of the HASI that D.ScNs. be revoked, and so any sincere Scientologist is capable of policing Scientology. This is again all in the interest of keeping the public with a good opinion of Scientology, since

GC 188
To all
A/Gs
D/S ...
PFOs
Bur 4s

7 October 1971

RECEIVED

RE: BOOKS & ENTIRETA WRITTEN ABOUT SCIENTOLOGY
SI 504

In the UK, the following legal actions have been taken on entireta books which have been written about Scientology.

1. Saturn Slaves - this was a book all about Charles Manson and hippie cults in California. In several places, throughout the book, Charles Manson was mentioned as a former Scientologist (untrue) and it was alleged that he got his start with Scientology etc.

The publishers of the book were sued for libel -- they did not serve a defence but instead asked for settlement. It was agreed that they would pay us £100 damages, together with the costs of the action. They also agreed to make an apology in open court and to discontinue publication and sales of the book.

2. A psychologist by the name of Dr. Christopher Evans was writing a book entitled "20th Century Cults". Legal started writing to him and his publishers and later his lawyers. No proceedings were started because the book had not been published. However, endless letters were sent on and fro over a period of about a year, during which time it was made clear to the publishers and their lawyers that if they published the book, they would have to fight a legal action, which would lose them money.

Finally the publishers lawyers wrote to us to say that there was no point in continuing the correspondence because the publishers had now decided not to publish the book. As of this date the book has not been published.

3. C. H. Rolph, (small time author and journalist), was commissioned by the NAMH U.K. to write a book on the subject of the NAMH conflict with Scientology, from their viewpoint. PRM got in touch with Rolph - Rolph came down to SI and there were a series of friendly letters. Rolph finally submitted his manuscript to PRM but, in spite of the friendly visits, it turned out that he was just a NAMH lack and had written an attack.

Legal wrote to him and his lawyers, and pointed out that publication would be a contempt of court (because of other legal actions which we have against the NAMH). The book has not been published.

4. "Scientology, what it is - what it does" by Rev. Morris Burrell was the first book published in the UK, solely on the subject of Scientology. Burrell had been in comm with PFO and a long series of letters had passed between them. But once again, the book when published turned out to be hostile. The front cover of the book contained the Scientology double triangle and our first thought was to begin legal proceedings for infringement of trademark. However, on reading the book, it was discovered that Burrell had mentioned a number of libel actions in which C of S was engaged and had commented upon them.

EXHIBIT B

2

Thus, being a contempt of court, legal moved
the court for an order "that Morris C. Burrell do stand
committed to Her Majesty's Prison at Brixton and that the
publishers may be so committed for their several and respective
contempts".

So, legal took them to Court, and the Judge found
that the book was a contempt of court. So the book was
drawn from publication without any copies having been
sent to the public.

The latest book is by Cyril Vosper called "The Mindbenders",
a stupid bit of matter. A preview of the book was sent out
by the publishers, and PRO was alerted by a phone call from
a TV station, who wanted a confrontation on TV with Cyril
Vosper. This gave the G.O. 24 hours to stop the book, the
TV confrontation and attendant bad publicity.

The book contained numerous quotes from Scientology
books and policy letters etc and contained some data which
Vosper had learned on the Solo Course. Legal proceedings
were brought on the basis of breach of copyright and breach
of confidential relationship (meaning putting in details of
the Solo Course). As time was short, PRO did a superb job of
getting data, PRO did a superb job of stalling TV, and legal
went round to the Judge in the evening at his own home, to ask
for an injunction. (An injunction is a Court order stopping
a person from doing a particular act). In this case the
injunction was to prevent the book from being sold or
distributed. PRO went down to the TV station, to be ready
to appear, in case the injunction was not obtained. The
programme announcer had already made his introductions on
Cyril and his book, when the phone rang in the studio, and our
lawyer informed the producer that the injunction had been
obtained. The announcer was forced to apologize to the
viewers, and PRO handled the resultant tension after the
programme had not gone on, with a drunken Vosper and furious
producer.

The injunction was Ex parte (the other side was
not present when it was obtained) and 3 weeks later legal
went before the Court again for a contested hearing, to see
whether the injunction should be continued or not. Legal won
on both counts of copyright and breach of confidence. The
other side now have 14 days in which to appeal.

The point of relating these actions is to indicate
that the following countries have similar laws to Britain:

New Zealand

Australia

South Africa

Canada

There is no acceptable justification in these
countries for no action being taken against the publishers
of entelechia books. The G.O. has to act fast,
collectively and with imagination. The skill required is in

- 1) Having the brains to see a possible course
of action, no matter how unlikely.
- 2) Having the necessary organisation to start
that action immediately and bring it to a
point of confrontation and decision.
(The longer the delay, the greater the chance
of failure).

EXHIBIT B

- 3) Legal U.K. seldom, if ever, assesses its chances of winning before commencing action. Its ability lies in getting the action into court fast, without a Q&A on the chances of winning. No-one can accurately assess in advance the chances of winning or losing, as this is a matter of individual lawyers, individual judges, how many are breaks the judge has that day, the particular circumstance of the particular case which strikes the Judge and good fortune. Good fortune never strikes you in Court, unless you are in Court.
- 4) Legal U.K. has been in courts more often in the past 3 years than the rest of the Scientology world combined. They have won more cases and lost more cases than anywhere else. They lost cases they were sure they would win, and won cases they were sure they would lose. The losses did not hurt us, and the successes established an iron clad ethics presence, which has probably prevented more entheta than we will ever know about (B4 feedback lines confirm this).
- 5) Do not worry about whether you will win or lose, but direct all effort and concentration on the legal technicalities required to achieve a legal confrontation.
- 6) It is always technically possible - though sometimes difficult, to get into Court. The most difficult part is in forcing your legal team, especially outside lawyers, to get this done, in spite of their terror of losing. It requires intention, determination and forceful persistence to get this done. Not legal genius.

Re USA

In America, where Freedom of Speech includes freedom to malign with impunity, except for old ladies and crippled men, much more imagination is required. Because of the Constitution of America, and case libel or libel, inclusive of recent Supreme Court decisions, it is impossible to prevent publication of libel. Attempts to prevent a book being published are called pre-publication censorship, and are extremely unpopular legally. However, where U.S. legal has been successful is prior to Court appearances and actual trial in effecting settlement.

The button used in effecting settlement is purely financial. In other words, it is more costly to continue the legal action than to settle in some fashion. Using this, legal U.S. usually moves for retraction of the libel and/or publication of a correction or Scientology viewpoint.

Therefore, it is imperative that legal US D-V-T his opponents and their lawyers with correspondence (a lawyer's letter costs approx \$50), phone calls (time costs), interrogatories, depositions and whatever else legal can mock up.

One of the bright spots of US legal is that even if you lose you don't pay your opponent for his lawyers fees. Therefore the cost of any legal action is small by comparison with Commonwealth Countries, where the loser pays everything.

N.B.: Any legal action on entheta publications needs the close co-ordination of PR, Legal and B4. One should carry forward without being afraid of being labelled litigious. We want the reputation that we use the laws of

EXHIBIT B

to uphold our legal and civil rights.

Legal terminals have only just been set up although the laws are different from Commonwealth and there are actions which can be taken if they are pushed and forced through.

Up to this point, the G.O. has been entirely swayed by our wog lawyers negative opinions but legal in ~~terms~~ should note the message in this Guardian order.

The message is that in combatting unethical articles and books, legal should be aggressive, fast, persistent and untiring.

Every skirmish should be treated like a major battle.

Jane Kember
Guardian World Wide

EXHIBIT B

FILED

JUN 22 1984
John L. Donovan

Rosie M. Hart
BY ROSIE M. HART, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA,
Plaintiff,
vs.
GERALD ARMSTRONG,
Defendant.

No. C 420153

MEMORANDUM OF
INTENDED DECISION

MARY SUE HUBBARD,
Intervenor.

In this matter heretofore taken under submission, the
Court announces its intended decision as follows:

As to the tort causes of action, plaintiff, and plaintiff
in intervention are to take nothing, and defendant is entitled
to Judgment and costs.

As to the equitable actions, the court finds that neither
plaintiff has clean hands, and that at least as of this time,
are not entitled to the immediate return of any document or
objects presently retained by the court clerk. All exhibits

1 received in evidence or marked for identification, unless
2 specifically ordered sealed¹, are matters of public record and
3 shall be available for public inspection or use to the same
4 extent that any such exhibit would be available in any other
5 lawsuit. In other words they are to be treated henceforth no
6 differently than similar exhibits in other cases in Superior
7 Court. Furthermore, the "inventory list and description," of
8 materials turned over by Armstrong's attorneys to the court,
9 shall not be considered or deemed to be confidential, private,
10 or under seal.

11 All other documents or objects presently in the possession
12 of the clerk (not marked herein as court exhibits) shall be
13 retained by the clerk, subject to the same orders as are
14 presently in effect as to sealing and inspection, until such
15 time as trial court proceedings are concluded as to the severed
16 cross complaint. For the purposes of this Judgment, conclusion
17 will occur when any motion for a new trial has been denied, or
18 the time within such a motion must be brought has expired
19 without such a motion being made. At that time, all documents
20 neither received in evidence, nor marked for identification
21 only, shall be released by the clerk to plaintiff's
22 representatives. Notwithstanding this order, the parties may
23
24

25 1. Exhibits in evidence No. 500-40; JJJ; KKK; LLL; MMM;
26 NNN; OOO; PPP; QQQ; RRR; and 500-QQQQ.

27 Exhibits for identification only No. JJJJ; Series
28 500-DDDD, EEEE, FFFF, GGGG, HHHH, IIII, NNNN-1, OOOO, ZZZZ,
CCCCC, GGGGG, IIIII, KKKKK, LLLLL, OOOOO, PPPPP, QQQQQ, BBBBBB,
OOOOOO, BBBBEE.

1 at any time by written stipulation filed with the clerk obtain
2 release of any or all such unused materials.

3 Defendant and his counsel are free to speak or communicate
4 upon any of Defendant Armstrong's recollections of his life as
5 a Scientologist or the contents of any exhibit received in
6 evidence or marked for identification and not specifically
7 ordered sealed. As to all documents, and other materials held
8 under seal by the clerk, counsel and the defendant shall remain
9 subject to the same injunctions as presently exist, at least
10 until the conclusion of the proceedings on the cross complaint.
11 However, in any other legal proceedings in which defense
12 counsel, or any of them, is of record, such counsel shall have
13 the right to discuss exhibits under seal, or their contents, if
14 such is reasonably necessary and incidental to the proper
15 representation of his or her client.

16 Further, if any court of competent jurisdiction orders
17 defendant or his attorney to testify concerning the fact of any
18 such exhibit, document, object, or its contents, such testimony
19 shall be given, and no violation of this order will occur.

20 Likewise, defendant and his counsel may discuss the contents of
21 any documents under seal or of any matters as to which this
22 court has found to be privileged as between the parties hereto,
23 with any duly constituted Governmental Law Enforcement Agency
24 or submit any exhibits or declarations thereto concerning such
25 document or materials, without violating any order of this
26 court.

27 ///

28 ///

124

1 This court will retain jurisdiction to enforce, modify,
2 alter, or terminate any injunction included within the
3 Judgment.

4 Counsel for defendant is ordered to prepare, serve, and
5 file a Judgment on the Complaint and Complaint in Intervention,
6 and Statement of Decision if timely and properly requested,
7 consistent with the court's intended decision.

8
9 Discussion

10 The court has found the facts essentially as set forth in
11 defendant's trial brief, which as modified, is attached as an
12 appendix to this memorandum. In addition the court finds that
13 while working for L.R. Hubbard (hereinafter referred to as
14 LRH), the defendant also had an informal employer-employee
15 relationship with plaintiff Church, but had permission and
16 authority from plaintiffs and LRH to provide Omar Garrison with
17 every document or object that was made available to Mr.
18 Garrison, and further, had permission from Omar Garrison to
19 take and deliver to his attorneys the documents and materials
20 which were subsequently delivered to them and thenceforth into
21 the custody of the County Clerk.

22 Plaintiff Church has made out a prima facie case of
23 conversion (as bailor of the materials), breach of fiduciary
24 duty, and breach of confidence (as the former employer who
25 provided confidential materials to its then employee for
26 certain specific purposes, which the employee later used for
27 other purposes to plaintiff's detriment). Plaintiff Mary Jane
28 Hubbard has likewise made out a prima facie case of conversion

1 and invasion privacy (misuse by a person of private matters
2 entrusted to him for certain specific purposes only).

3 While defendant has asserted various theories of defense,
4 the basic thrust of his testimony is that he did what he did,
5 because he believed that his life, physical and mental well
6 being, as well as that of his wife were threatened because the
7 organization was aware of what he knew about the life of LRH,
8 the secret machinations and financial activities of the Church,
9 and his dedication to the truth. He believed that the only way
10 he could defend himself, physically as well as from harassing
11 lawsuits, was to take from Omar Garrison those materials which
12 would support and corroborate everything that he had been
13 saying within the Church about LRH and the Church, or refute
14 the allegations made against him in the April 22 Suppressive
15 Person Declare. He believed that the only way he could be sure
16 that the documents would remain secure for his future use was
17 to send them to his attorneys, and that to protect himself, he
18 had to go public so as to minimize the risk that LRH, the
19 Church, or any of their agents would do him physical harm.

20 This conduct if reasonably believed in by defendant and
21 engaged in by him in good faith, finds support as a defense to
22 the plaintiff's charges in the Restatements of Agency, Torts,
23 and case law.

24 Restatement of Agency, Second, provides:

25 "Section 395f: An agent is privileged to reveal
26 information confidentially acquired by him in the course
27 of his agency in the protection of a superior interest of
28 himself or a third person.

1 "Section 418: An agent is privileged to protect
2 interests of his own which are superior to those of the
3 principal, even though he does so at the expense of the
4 principal's interest or in disobedience to his orders."

5 Restatement of torts, Second, section 271:

6 "One is privileged to commit an act which would
7 otherwise be a trespass to or a conversion of a chattel in
8 the possession of another, for the purpose of defending
9 himself or a third person against the other, under the
10 same conditions which would afford a privilege to inflict
11 harmful or offensive contact upon the other for the same
12 purpose."

13 The Restatement of Torts, Second, section 652a, as well as
14 case law, make it clear that not all invasions of privacy are
15 unlawful or tortious. It is only when the invasion is
16 unreasonable that it becomes actionable. Hence, the trier of
17 fact must engage in a balancing test, weighing the nature and
18 extent of the invasion, as against the purported justification
19 therefore to determine whether in a given case, the particular
20 invasion or intrusion was unreasonable.

21 In addition the defendant has asserted as a defense the
22 principal involved in the case of Willig v. Gold, 75
23 Cal.App.2d, 809, 814, which holds that an agent has a right or
24 privilege to disclose his principal's dishonest acts to the
25 party prejudicially affected by them.

26 Plaintiff Church has asserted and obviously has certain
27 rights arising out of the First Amendment. Thus, the court
28 cannot, and has not, inquired into or attempted to evaluate the

merits, accuracy, or truthfulness of Scientology or any of its precepts as a religion. First Amendment rights, however, cannot be utilized by the Church or its members, as a sword to preclude the defendant, whom the Church is suing, from defending himself. Therefore, the actual practices of the Church or its members, as it relates to the reasonableness of the defendant's conduct and his state of mind are relevant, admissible, and have been considered by the court.

As indicated by its factual findings, the court finds the testimony of Gerald and Jocelyn Armstrong, Laurel Sullivan, Nancy Dincalcis, Edward Walters, Omar Garrison, Kima Douglas, and Howard Schomer to be credible, extremely persuasive, and the defense of privilege or justification established and corroborated by this evidence. Obviously, there are some discrepancies or variations in recollections, but these are the normal problems which arise from lapse of time, or from different people viewing matters or events from different perspectives. In all critical and important matters, their testimony was precise, accurate, and rang true. The picture painted by these former dedicated Scientologists, all of whom were intimately involved with LRH, or Mary Jane Hubbard, or of the Scientology Organization, is on the one hand pathetic, and on the other, outrageous. Each of these persons literally gave years of his or her respective life in support of a man, LRH, and his ideas. Each has manifested a waste and loss or frustration which is incapable of description. Each has broken with the movement for a variety of reasons, but at the same time, each is, still bound by the knowledge that the Church has

1 in its posse. On his or her most inner thoughts and
2 confessions, all recorded in "pre-clear (P.C.) folders" or
3 other security files of the organization, and that the Church
4 or its minions is fully capable of intimidation or other
5 physical or psychological abuse if it suits their ends. The
6 record is replete with evidence of such abuse.

7 In 1970 a police agency of the French Government conducted
8 an investigation into Scientology and concluded, "this sect,
9 under the pretext of 'freeing humans' is nothing in reality but
10 a vast enterprise to extract the maximum amount of money from
11 its adepts by (use of) pseudo-scientific theories, by (use of)
12 'auditions' and 'stage settings' (lit. to create a theatrical
13 scene') pushed to extremes (a machine to detect lies, its own
14 particular phraseology . . .), to estrange adepts from their
15 families and to exercise a kind of blackmail against persons
16 who do not wish to continue with this sect."² From the
17 evidence presented to this court in 1984, at the very least,
18 similar conclusions can be drawn. In addition to violating and
19 abusing its own members civil rights, the organization over the
20 years with its "Fair Game" doctrine has harassed and abused
21 those persons not in the Church whom it perceives as enemies.
22 The organization clearly is schizophrenic and paranoid, and
23 this bizarre combination seems to be a reflection of its
24 founder LRH. The evidence portrays a man who has been
25 virtually a pathological liar when it comes to his history,
26
27

28 2. Exhibit 500-HHHHH.

1 background, . . . achievements. The writ. gs and documents in
2 evidence additionally reflect his egoism, greed, avarice, lust
3 for power, and vindictiveness and aggressiveness against
4 persons perceived by him to be disloyal or hostile. At the
5 same time it appears that he is charismatic and highly capable
6 of motivating, organizing, controlling, manipulating, and
7 inspiring his adherents. He has been referred to during the
8 trial as a "genius," a "revered person," a man who was "viewed
9 by his followers in awe." Obviously, he is and has been a very
10 complex person, and that complexity is further reflected in his
11 alter ego, the Church of Scientology. Notwithstanding
12 protestations to the contrary, this court is satisfied that LRH
13 runs the Church in all ways through the Sea Organization, his
14 role of Commodore, and the Commodore's Messengers.³ He has, of
15 course, chosen to go into "seclusion," but he maintains contact
16 and control through the top messengers. Seclusion has its
17 light and dark side too. It adds to his mystique, and yet
18 shields him from accountability and subpoena or service of
19 summons.

20 LRH's wife, Mary Sue Hubbard is also a plaintiff herein.
21 On the one hand she certainly appeared to be a pathetic
22 individual. She was forced from her post as Controller,
23 convicted and imprisoned as a felon, and deserted by her
24 husband. On the other hand her credibility leaves much to be
25 desired. She struck the familiar pose of not seeing, hearing,
26

27 3. See Exhibit K: Flag Order 3729 - 15 September 1978
28 "Commodore's Messengers."

1 or knowing a evil. Yet she was the head of the Guardian
2 Office for years and among other things, authored the infamous
3 order "GO 121669"⁴ which directed culling of supposedly
4 confidential P.C. files/folders for purposes of internal
5 security. In her testimony she expressed the feeling that
6 defendant by delivering the documents, writings, letters to his
7 attorneys, subjected her to mental rape. The evidence is clear
8 and the court finds that defendant and Omar Garrison had
9 permission to utilize these documents for the purpose of
10 Garrison's proposed biography. The only other persons who were
11 shown any of the documents were defendant's attorneys, the
12 Douglasses, the Dincalcis, and apparently some documents
13 specifically affecting LRH's son "Nibs," were shown to "Nibs."
14 The Douglasses and Dincalcises were disaffected Scientologists
15 who had a concern for their own safety and mental security, and
16 were much in the same situation as defendant. They had not
17 been declared as suppressive, but Scientology had their P.C.
18 folders, as well as other confessions, and they were extremely
19 apprehensive. They did not see very many of the documents, and
20 it is not entirely clear which they saw. At any rate Mary Sue
21 Hubbard did not appear to be so much distressed by this fact,
22 as by the fact that Armstrong had given the documents to
23 Michael Flynn, whom the Church considered its foremost
24
25
26
27
28

4. Exhibit AAA.

1 lawyer-enemy." However, just as the plaintiffs have First
2 Amendment rights, the defendant has a Constitutional right to
3 an attorney of his own choosing. In legal contemplation the
4 fact that defendant selected Mr. Flynn rather than some other
5 lawyer cannot by itself be tortious. In determining whether
6 the defendant unreasonably invaded Mrs. Hubbard's privacy, the
7 court is satisfied the invasion was slight, and the reasons and
8 justification for defendant's conduct manifest. Defendant was
9 told by Scientology to get an attorney. He was declared an
10 enemy by the Church. He believed, reasonably, that he was
11 subject to "fair game." The only way he could defend himself,
12 his integrity, and his wife was to take that which was
13 available to him and place it in a safe harbor, to wit, his
14 lawyer's custody. He may have engaged in overkill, in the
15 sense that he took voluminous materials, some of which appear
16 only marginally relevant to his defense. But he was not a
17 lawyer and cannot be held to that precise standard of judgment.
18 Further, at the time that he was accumulating the material, he
19 was terrified and undergoing severe emotional turmoil. The
20 court is satisfied that he did not unreasonably intrude upon
21 Mrs. Hubbard's privacy under the circumstances by in effect
22 simply making his knowledge that of his attorneys. It is, of
23 course, rather ironic that the person who authorized G.O. order
24 121669 should complain about an invasion of privacy. The
25

26 5. "No, I think my emotional distress and upset is the
27 fact that someone took papers and materials without my
28 authorization and then gave them to your Mr. Flynn."
Reporter's Transcript, p. 1006.

1 practice of culling supposedly confidential "P.C. folders or
2 files" to obtain information for purposes of intimidation
3 and/or harassment is repugnant and outrageous. The Guardian's
4 Office, which plaintiff headed, was no respecter of anyone's
5 civil rights, particularly that of privacy. Plaintiff Mary Sue
6 Hubbard's cause of action for conversion must fail for the same
7 reason as plaintiff Church. The documents were all together in
8 Omar Garrison's possession. There was no rational way the
9 defendant could make any distinction.

10 Insofar as the return of documents is concerned, matters
11 which are still under seal may have evidentiary value in the
12 trial of the cross complaint or in other third party
13 litigation. By the time that proceedings on the cross
14 complaint are concluded, the court's present feeling is that
15 those documents or objects not used by that time should be
16 returned to plaintiff. However, the court will reserve
17 jurisdiction to reconsider that should circumstances warrant.

18 Dated: June 20, 1984

19
20 Paul G. Breckenridge, Jr.
21 PAUL G. BRECKENRIDGE, JR.
22 Judge of the Superior Court

23
24 THE DOCUMENT TO WHICH THIS CERTIFICATE IS AT-
25 TACHED IS A FULL TRUE AND CORRECT COPY OF THE
26 ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

27 ATTEST

SEP 11 1984

19

28 JOHN J. CONCORAN, County Clerk and Clerk of the
Superior Court of California,
County of Los Angeles

BY

DEPUTY

S. HURST

1
2 Appendix

3 Defendant Armstrong was involved with Scientology from
4 1969 through 1981, a period spanning 12 years. During that
5 time he was a dedicated and devoted member who revered the
6 founder, L. Ron Hubbard. There was little that Defendant
7 Armstrong would not do for Hubbard or the Organization. He
8 gave up formal education, one-third of his life, money and
9 anything he could give in order to further the goals of
10 Scientology, goals he believed were based upon the truth,
11 honesty, integrity of Hubbard and the Organization.

12 From 1971 through 1981, Defendant Armstrong was a member
13 of the Sea Organization, a group of highly trained
14 scientologists who were considered the upper echelon of the
15 Scientology organization. During those years he was placed in
16 various locations, but it was never made clear to him exactly
17 which Scientology corporation he was working for. Defendant
18 Armstrong understood that, ultimately, he was working for L.
19 Ron Hubbard, who controlled all Scientology finances,
20 personnel, and operations while Defendant was in the Sea
21 Organization.

22 Beginning in 1979 Defendant Armstrong resided at Gilman
23 Hot Springs, California, in Hubbard's "Household Unit." The
24 Household Unit took care of the personal wishes and needs of
25 Hubbard at many levels. Defendant Armstrong acted as the L.
26 Ron Hubbard Renovations In-Charge and was responsible for
27 renovations, decoration, and maintenance of Hubbard's home and
28 office at Gilman Hot Springs.

///

134

1 In January of 1980 there was an announcement of a possible
2 raid to be made by the FBI or other law enforcement agencies of
3 the property. Everyone on the property was required by
4 Hubbard's representatives, the Commodore's Messengers, to go
5 through all documents located on the property and "vet" or
6 destroy anything which showed that Hubbard controlled
7 Scientology organizations, retained financial control, or was
8 issuing orders to people at Gilman Hot Springs.

9 A commercial paper shredder was rented and operated day
10 and night for two weeks to destroy hundreds of thousands of
11 pages of documents.

12 During the period of shredding, Brenda Black, the
13 individual responsible for storage of Hubbard's personal
14 belongings at Gilman Hot Springs, came to Defendant Armstrong
15 with a box of documents and asked whether they were to be
16 shredded. Defendant Armstrong reviewed the documents and found
17 that they consisted of a wide variety of documents including
18 Hubbard's personal papers, diaries, and other writings from a
19 time before he started Dianetics in 1950, together with
20 documents belonging to third persons which had apparently been
21 stolen by Hubbard or his agents. Defendant Armstrong took the
22 documents from Ms. Black and placed them in a safe location on
23 the property. He then searched for and located another twenty
24 or more boxes containing similar materials, which were poorly
25 maintained.

26 On January 8, 1980, Defendant Armstrong wrote a petition
27 to Hubbard requesting his permission to perform the research
28 for a biography to be done about his life. The petition states

1 that Defendant Armstrong had located the subject materials and
2 lists of a number of activities he wished to perform in
3 connection with the biography research.

4 Hubbard approved the petition, and Defendant Armstrong
5 became the L. Ron Hubbard Personal Relations Officer Researcher
6 (PPRO Res). Defendant claims that this petition and its
7 approval forms the basis for a contract between Defendant and
8 Hubbard. Defendant Armstrong's supervisor was then Laurel
9 Sullivan, L. Ron Hubbard's Personal Public Relations Officer.

10 During the first part of 1980, Defendant Armstrong moved
11 all of the L. Ron Hubbard Archives materials he had located at
12 Gilman Hot Springs to an office in the Church of Scientology
13 Cedars Complex in Los Angeles. These materials comprised
14 approximately six file cabinets. Defendant Armstrong had
15 located himself in the Cedars Complex, because he was also
16 involved in "Mission Corporate Category Sort-Out," a mission to
17 work out legal strategy. Defendant Armstrong was involved with
18 this mission until June of 1980.

19 It was also during this early part of 1980 that Hubbard
20 left the location in Gilman Hot Springs, California, and went
21 into hiding. Although Defendant Armstrong was advised by
22 Laurel Sullivan that no one could communicate with Hubbard,
23 Defendant Armstrong knew that the ability for communication
24 existed, because he had forwarded materials to Hubbard at his
25 request in mid-1980.

26 Because of this purported inability to communicate with
27 Hubbard, Defendant Armstrong's request to purchase biographical
28 materials of Hubbard from people who offered them for sale went

1 to the Commoc. 's Messenger Organization, the personal
2 representatives of Hubbard.

3 In June of 1980 Defendant Armstrong became involved in the
4 selection of a writer for the Hubbard biography. Defendant
5 Armstrong learned that Hubbard had approved of a biography
6 proposal prepared by Omar Garrison, a writer who was not a
7 member of Scientology. Defendant Armstrong had meetings with
8 Mr. Garrison regarding the writing of the biography and what
9 documentation and assistance would be made available to him.
10 As understood by Mr. Garrison, Defendant Armstrong represented
11 Hubbard in these discussions.

12 Mr. Garrison was advised that the research material he
13 would have at his disposal were Hubbard's personal archives.
14 Mr. Garrison would only undertake a writing of the biography if
15 the materials provided to him were from Hubbard's personal
16 archives, and only if his manuscript was subject to the
17 approval of Hubbard himself.

18 In October of 1980 Mr. Garrison came to Los Angeles and
19 was toured through the Hubbard archives materials that
20 Defendant Armstrong had assembled up to that time. This was an
21 important "selling point" in obtaining Mr. Garrison's agreement
22 to write the biography. On October 30, 1980, an agreement was
23 entered into between Ralston-Pilot, ncw. F/S/O Omar V.
24 Garrison, and AOSH DK Publications of Copenhagen, Denmark, for
25 the writing of a biography of Hubbard.

26 Paragraph 10B of the agreement states that:

27 "Publisher shall use its best efforts to provide
28 Author with an office, an officer assistant and/or

1 research assistant, office supplies and any needed
2 archival and interview materials in connection with
3 the writing of the Work."

4 The "research assistant" provided to Mr. Garrison was
5 Defendant Armstrong.

6 During 1980 Defendant Armstrong exchanged correspondence
7 with Intervenor regarding the biography project. Following his
8 approval by Hubbard as biography researcher, Defendant
9 Armstrong wrote to Intervenor on February 5, 1980, advising her
10 of the scope of the project. In the letter Defendant stated
11 that he had found documents which included Hubbard's diary from
12 his Orient trip, poems, essays from his youth, and several
13 personal letters, as well as other things.

14 By letter of February 11, 1980, Intervenor responded to
15 Defendant, acknowledging that he would be carrying out the
16 duties of Biography Researcher.

17 On October 14, 1980, Defendant Armstrong again wrote to
18 Intervenor, updating her on "Archives materials" and proposing
19 certain guidelines for the handling of those materials.

20 It was Intervenor who, in early 1981, ordered certain
21 biographical materials from "Controller Archives" to be
22 delivered to Defendant Armstrong. These materials consisted of
23 several letters written by Hubbard in the 1920's and 1930's,
24 Hubbard's Boy Scout books and materials, several old Hubbard
25 family photographs, a diary kept by Hubbard in his youth, and
26 several other items.

27 Defendant Armstrong received these materials upon the
28 order of Intervenor, following his letter of October 15, 1980,

1 to her in which Defendant stated, at page 1, that there were
2 materials in the "Controller Archives" that would be helpful to
3 him in the biography research.

4 After these materials were delivered to Defendant
5 Armstrong, Intervenor was removed from her Scientology position
6 of Controller in 1981, presumably because of her conviction for
7 the felony of obstruction of justice in connection with the
8 theft of Scientology documents from various government offices
9 and agencies in Washington, D.C.

10 During the time Defendant Armstrong worked on the
11 biography project and acted as Hubbard Archivist, there was
12 never any mention that he was not to be dealing with Hubbard's
13 personal documents or that the delivery of those documents to
14 Mr. Garrison was not authorized.

15 For the first year or more of the Hubbard biography and
16 archive project, funding came from Hubbard's personal staff
17 unit at Gilman Hot Springs, California. In early 1981,
18 however, Defendant Armstrong's supervisor, Laurel Sullivan,
19 ordered him to request that funding come from what was known as
20 SEA Org Reserves. Approval for this change in funding came
21 from the SEA Org Reserves Chief and Watch Dog Committee, the
22 top Commodores Messenger Organization unit, who were Hubbard's
23 personal representatives.

24 From November of 1980 through 1981, Defendant Armstrong
25 worked closely with Mr. Garrison, assembling Hubbard's archives
26 into logical categories, copying them and arranging the copies
27 of the Archives materials into bound volumes. Defendant
28 Armstrong made two copies of almost all documents copied for

1 Mr. Garrison - one for Mr. Garrison and the other to remain in
2 Hubbard Archives for reference or recopying. Defendant
3 Armstrong created approximately 400 binders of documents. The
4 vast majority of the documents for Mr. Garrison came from
5 Hubbard's personal Archives, of which Defendant Armstrong was
6 in charge. Materials which came from other Archives, such as
7 the Controller Archives, were provided to Defendant Armstrong
8 by Scientology staff members who had these documents in their
9 care.

10 It was not until late 1981 that Plaintiff was to provide a
11 person to assist on the biography project by providing Mr.
12 Garrison with "Guardian Office" materials, otherwise described
13 as technical materials relating to the operation of
14 Scientology. The individual appointed for this task was Vaughn
15 Young. Controller Archives and Guardian Office Archives had no
16 connection to the Hubbard Archives, which Defendant Armstrong
17 created and maintained as Hubbard's personal materials.

18 In addition to the assemblage of Hubbard's Archives,
19 Defendant Armstrong worked continually on researching and
20 assembling materials concerning Hubbard by interviewing dozens
21 of individuals, including Hubbard's living aunt, uncle, and
22 four cousins. Defendant Armstrong did a geneology study of
23 Hubbard's family and collected, assembled, and read hundreds of
24 thousands of pages of documentation in Hubbard's Archives.

25 During 1980 Defendant Armstrong remained convinced of
26 Hubbard's honesty and integrity and believed that the
27 representations he had made about himself in various
28 publications were truthful. Defendant Armstrong was devoted to

1 Hubbard and was convinced that any information which he
2 discovered to be unflattering of Hubbard or contradictory to
3 what Hubbard has said about himself, was a lie being spread by
4 Hubbard's enemies. Even when Defendant Armstrong located
5 documents in Hubbard's Archives which indicated that
6 representations made by Hubbard and the Organization were
7 untrue, Defendant Armstrong would find some means to "explain
8 away" the contradictory information.

9 Slowly, however, throughout 1981, Defendant Armstrong
10 began to see that Hubbard and the Organization had continuously
11 lied about Hubbard's past, his credentials, and his
12 accomplishments. Defendant Armstrong believed, in good faith,
13 that the only means by which Scientology could succeed in what
14 Defendant Armstrong believed was its goal of creating an
15 ethical environment on earth, and the only way Hubbard could be
16 free of his critics, would be for Hubbard and the Organization
17 to discontinue the lies about Hubbard's past, his credentials,
18 and accomplishments. Defendant Armstrong resisted any public
19 relations piece or announcement about Hubbard which the L. Ron
20 Hubbard Public Relations Bureau proposed for publication which
21 was not factual. Defendant Armstrong attempted to change and
22 make accurate the various "about the author" sections in
23 Scientology books, and further, Defendant rewrote or critiqued
24 several of these and other publications for the L. Ron Hubbard
25 Public Relations Bureau and various Scientology Organizations.
26 Defendant Armstrong believed and desired that the Scientology
27 Organization and its leader discontinue the perpetration of the

28 ///

1 massive fraud upon the innocent followers of Scientology, and
2 the public at large.

3 Because of Defendant Armstrong's actions, in late November
4 of 1981, Defendant was requested to come to Gilman Hot Springs
5 by Commodore Messenger Organization Executive, Cirrus Slevin.
6 Defendant Armstrong was ordered to undergo a "security check,"
7 which involved Defendant Armstrong's interrogation while
8 connected to a crude Scientology lie detector machine called an
9 E-meter.

10 The Organization wished to determine what materials
11 Defendant Armstrong had provided to Omar Garrison. Defendant
12 Armstrong was struck by the realization that the Organization
13 would not work with him to correct the numerous fraudulent
14 representations made to followers of Scientology and the public
15 about L. Ron Hubbard and the Organization itself. Defendant
16 Armstrong, who, for twelve years of his life, had placed his
17 complete and full trust in Mr. and Mrs. Hubbard and the
18 Scientology Organization, saw that his trust had no meaning and
19 that the massive frauds perpetrated about Hubbard's past,
20 credentials, and accomplishments would continue to be spread.

21 Less than three weeks before Defendant Armstrong left
22 Scientology, he wrote a letter to Cirrus Slevin on November 25,
23 1981, in which it is clear that his intentions in airing the
24 inaccuracies, falsehoods, and frauds regarding Hubbard were
25 done in good faith. In his letter he stated as follows:

26 "If we present inaccuracies, hyperbole
27 or downright lies as fact or truth, it
28 doesn't matter what slant we give them, if

1 disproved the man will look, to outsiders
2 at least, like a charlatan. This is what
3 I'm trying to prevent and what I've been
4 working on the past year and a half.

5

6 "and that is why I said to Norman that
7 it is up to us to insure that everything
8 which goes out about LRH is one hundred
9 percent accurate. That is not to say that
10 opinions can't be voiced, they can. And
11 they can contain all the hype you want.
12 But they should not be construed as facts.
13 And anything stated as a fact should be
14 documentable.

15 "we are in a period when
16 'investigative reporting' is popular, and
17 when there is relatively easy access to
18 documentation on a person. We can't delude
19 ourselves I believe, if we want to gain
20 public acceptance and cause some betterment
21 in society, that we can get away with
22 statements, the validity of which we don't
23 know.

24 "The real disservice to LRH, and the
25 ultimate make-wrong is to go on assuming
26 that everything he's ever written or said
27 -- is one hundred percent accurate and publish
28 it as such without verifying it. I'm

1 talking here about biographical or
2 non-technical writings. This only leads,
3 should any of his statements turn out to be
4 inaccurate, to a make-wrong of him, and
5 consequently his technology.

6 "That's what I'm trying to remedy and
7 prevent.

8
9 "To say that LRH is not capable of
10 hype, errors or lies is certainly [^]sic; not
11 granting him much of a beingness. To
12 continue on with the line that he has never
13 erred nor lied is counterproductive. It is
14 an unreal attitude and too far removed from
15 both the reality and people in general that
16 it would widen public unacceptance.

17
18 " That is why I feel the
19 falsities must be corrected, and why we
20 must verify our facts and present them in a
21 favorable light."

22
23 The remainder of the letter contains examples of facts
24 about Hubbard which Defendant Armstrong found to be wholly
25 untrue or inaccurate and which were represented as true by the
26 Hubbards and the Scientology Organization.

27 In December of 1981 Defendant Armstrong made the decision
28 to leave the Church of Scientology. In order to continue in

1 his commitment to Hubbard and Mr. Garrison in the biography
2 project, he copied a large quantity of documents, which Mr.
3 Garrison had requested or which would be useful to him for the
4 biography. Defendant Armstrong delivered all of this material
5 to Mr. Garrison the date he left the SEA Organization and kept
6 nothing in his possession.

7 Thereafter, Defendant Armstrong maintained friendly
8 relations with Hubbard's representatives by returning to the
9 Archives office and discussing the various categories of
10 materials. In fact on February 24, 1982, Defendant Armstrong
11 wrote to Vaughn Young, regarding certain materials Mr. Young
12 was unable to locate for Omar Garrison.

13 After this letter was written, Defendant Armstrong went to
14 the Archives office and located certain materials Mr. Garrison
15 had wanted which Hubbard representatives claimed they could not
16 locate.

17 At the time Defendant Armstrong left the SEA Organization,
18 he was disappointed with Scientology and Hubbard, and also felt
19 deceived by them. However, Defendant Armstrong felt he had no
20 enemies and felt no ill will toward anyone in the Organization
21 or Hubbard, but still believed that a truthful biography should
22 be written.

23 After leaving the SEA Organization, Defendant Armstrong
24 continued to assist Mr. Garrison with the Hubbard biography
25 project. In the spring of 1982, Defendant Armstrong at Mr.
26 Garrison's request, transcribed some of his interview tapes,
27 copied some of the documentation he had, and assembled several
28 more binders of copied materials. Defendant Armstrong also set

1 up shelves for Mr. Garrison for all the biography research
2 materials, worked on a cross-reference systems, and continued
3 to do library research for the biography.

4 On February 18, 1982, the Church of Scientology
5 International issued a "Suppressive Person Declare Gerry
6 Armstrong," which is an official Scientology document issued
7 against individuals who are considered as enemies of the
8 Organization. Said Suppressive Person Declare charged that
9 Defendant Armstrong had taken an unauthorized leave and that he
10 was spreading destructive rumors about Senior Scientologists.

11 Defendant Armstrong was unaware of said Suppressive Person
12 Declare until April of 1982. At that time a revised Declare
13 was issued on April 22, 1982. Said Declare charged Defendant
14 Armstrong with 18 different "Crimes and High Crimes and
15 Suppressive Acts Against the Church." The charges included
16 theft, juggling accounts, obtaining loans on money under false
17 pretenses, promulgating false information about the Church,
18 its founder, and members, and other untruthful allegations
19 designed to make Defendant Armstrong an appropriate subject of
20 the Scientology "Fair Game Doctrine." Said Doctrine allows any
21 suppressive person to be "tricked, cheated, lied to, sued, or
22 destroyed."

23 The second declare was issued shortly after Defendant
24 Armstrong attempted to sell photographs of his wedding on board
25 Hubbard's ship (in which Hubbard appears), and photographs
26 belonging to some of his friends, which also included photos of
27 L.R. Hubbard while in seclusion. Although Defendant Armstrong
28 delivered the photographs to a Virgil Wilhite for sale, he

1 never received payment or return of his friend's photographs.
2 When he became aware that the Church had these photographs, he
3 went to the Organization to request their return. A loud and
4 boisterous argument ensued, and he eventually was told to leave
5 the premises and get an attorney.

6 From his extensive knowledge of the covert and
7 intelligence operations carried out by the Church of
8 Scientology of California against its enemies (suppressive
9 persons), Defendant Armstrong became terrified and feared that
10 his life and the life of his wife were in danger, and he also
11 feared he would be the target of costly and harassing lawsuits.
12 In addition, Mr. Garrison became afraid for the security of the
13 documents and believed that the intelligence network of the
14 Church of Scientology would break and enter his home to
15 retrieve them. Thus, Defendant Armstrong made copies of
16 certain documents for Mr. Garrison and maintained them in a
17 separate location.

18 It was thereafter, in the summer of 1982, that Defendant
19 Armstrong asked Mr. Garrison for copies of documents to use in
20 his defense and sent the documents to his attorneys, Michael
21 Flynn and Contos & Bunch.

22 After the within suit was filed on August 2, 1982,
23 Defendant Armstrong was the subject of harassment, including
24 being followed and surveilled by individuals who admitted
25 employment by Plaintiff; being assaulted by one of these
26 individuals; being struck bodily by a car driven by one of
27 these individuals; having two attempts made by said individuals
28 apparently to involve Defendant Armstrong in a freeway

1 automobile accident; having said individuals come onto
2 Defendant Armstrong's property, spy in his windows, create
3 disturbances, and upset his neighbors. During trial when it
4 appeared that Howard Schomer (a former Scientologist) might be
5 called as a defense witness, the Church engaged in a somewhat
6 sophisticated effort to suppress his testimony. It is not
7 clear how the Church became aware of defense intentions to call
8 Mr. Schomer as a witness, but it is abundantly clear they
9 sought to entice him back into the fold and prevent his
10 testimony.
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 DECLARATION OF GERALD ARMSTRONG

2 I, Gerald Armstrong, having personal knowledge of the
3 following, hereby declare and state:

4 1. I became involved with Scientology as a customer in
5 1969 in Vancouver, British Columbia. I worked on staff there
6 in 1970 and in February 1971 joined the Sea Organization (SO or
7 Sea Org) in Los Angeles. I was flown to Spain and joined the
8 Sea Org's flag ship, "Apollo," in Morocco. L. Ron Hubbard, the
9 Sea Org's "Commodore," was on board and operated Scientology
10 internationally through the "crew" which numbered, during my
11 stay on board of four and a half years, around four hundred.
12 All my staff positions on board involved personal contact with
13 L. Ron Hubbard, Mary Sue Hubbard, administrative organization
14 staff and people in the ports and countries the "Apollo"
15 visited, and included "Ship's Representative" (legal
16 representative), "Port Captain" (public relations officer), and
17 "Information Officer" (intelligence officer).

18 2. In the fall of 1975 after the ship operation moved
19 ashore in Florida I was posted in the Guardian's Office (GO)
20 Intelligence Bureau connected to Hubbard's Personal Office.
21 From December 1975 through June 1976 I held the post of Deputy
22 LRH External Communications Aide, a relay terminal for
23 Hubbard's written and telex traffic to and from Scientology
24 organizations. From July 1976 to December 1977 I was assigned,
25 on Hubbard's order, to the "Rehabilitation Project Force"
26 (RPF), the SO prison system. In 1978 I worked in Hubbard's
27 cinematography crew in La Quinta, California, making movies
28 under his direction until the fall of that year when he again

1 assigned me to the RPF, this time for eight months first in La
2 Quinta, then at a newly purchased base in Gilman Hot Springs
3 near Hemet, California. When I got out of the RPF in the
4 Spring of 1979 and until the beginning of 1980, I worked in
5 Hubbard's "Household Unit" (HU) at Gilman, the SO unit which
6 took care of Hubbard's house, personal effects, transport,
7 meals and so forth, as the "Purchaser," "Renovations In-Charge"
8 and "Deputy Commanding Officer HU."

9 3. Throughout 1980 and until I left the organization in
10 December 1981 I held the organization posts in Hubbard's
11 "Personal Public Relations Bureau" of "LRH Archivist" and "LRH
12 Personal Researcher." I assembled in Los Angeles an archive of
13 Hubbard's writings and other materials relating to his history
14 to be used as, inter alia, the basis for a biography to be
15 written about the man. I also worked in Los Angeles for the
16 first few months of 1980 on Mission Corporate Category Sortout
17 (MCCS), which had the purpose of restructuring the Scientology
18 enterprise so that Hubbard could continue to control it without
19 being liable for its actions. Beginning in the fall of 1980
20 and continuing until my departure, I provided the biographical
21 writings and other materials, as I collected and organized
22 them, to Omar Garrison, who had contracted with the
23 organization to write the Hubbard biography. I interviewed
24 many people who had known Mr. Hubbard at periods throughout his
25 life, including almost all of his known living relatives. I
26 traveled several thousand miles collecting biographical
27 information and conducting a genealogy search, and arranged the
28 purchase of a number of collections of Hubbard-related

1 documents and other materials from individual collectors.

2 4. As a result of the activities described above, I have
3 become very familiar with Scientology policies, practices, and
4 policy documents. I also know that the Church of Scientology
5 of California, as part of the Scientology organization, has
6 followed and implemented these policies and practices,
7 including those described below.

8 5. Attached to this declaration as Exhibit A is a true
9 copy of a portion of volume II of The Technical Bulletins of
10 Dianetics and Scientology, by L. Ron Hubbard, the founder of
11 Scientology. It includes (at page 157) the following
12 description of Scientology's practice of using litigation to
13 harass its opponents:

14 The purpose of the suit is to harass and discourage rather
15 than to win. [¶] The law can be used very easily to
16 harass, and enough harassment on somebody who is simply on
the thin edge anyway...will generally be sufficient to
cause his professional decease. If possible, of course,
ruin him utterly.

17 6. Attached to this declaration as Exhibit B is a true
18 copy of an internal Scientology document, Guardian Order 166,
19 dated October 7, 1971. This document was written by the then
20 Guardian, Jane Kember, at that time the most senior Scientology
21 official under L. Ron Hubbard and his wife, Mary Sue Hubbard.
22 GO 166 was included in the Intelligence Course Pack which I
23 studied while I was the Intelligence Officer on Scientology's
24 ship the "Apollo" in the 1970's. This document includes the
25 following explanation that Scientology legal strategy in the
26 U.S. is to use litigation as a financial club:

27 The button used in effecting settlement is purely
28 financial. In other words, it is more costly to continue
the legal action than to settle in some fashion. ... [¶]

1 Therefore, it is imperative that legal US Dev-T his
2 opponents and their lawyers with correspondence (a
3 lawyer's letter costs approx \$50), phone calls (time
4 costs), interrogatories, depositions and whatever else
legal can mock up. [¶] One of the bright spots of US
legal is that even if you lose you don't pay your opponent
for his lawyers fees.

5 The phrase "Dev-T" is a term which Scientology uses to mean to
6 cause someone to do unnecessary work.

7 7. Since leaving the Scientology organization, I have
8 monitored the conduct of the organization, including the Church
9 of Scientology of California. I am familiar with, and have
10 been a target and victim of the "fair game" doctrine, which was
11 described by the California Court of Appeal decisions in Church
12 of Scientology v. Armstrong, Allard v. Church of Scientology,
13 and Wollersheim v. Church of Scientology. Although Scientology
14 claims that the "fair game" doctrine has been abandoned, I know
15 from personal experience that this is not true, at least as
16 recently as this year. For instance, Scientology attempted in
17 the first few months of 1993 to have me jailed for contempt of
18 court based on the false declaration of a Scientologist lawyer,
19 Laurie Bartilson, for acts which Scientology itself set up.
20 This is only the most recent of over a decade of "dirty tricks"
21 which Scientology personnel have directed at me.

22 8. From my personal experience, I know that Scientology
23 does use the litigation approach described by Hubbard and
24 Kember in the quotes above. In various cases, Scientology has
25 subjected me to over 35 days of depositions. As a paralegal
26 working on cases involving Scientology for 16 months for Boston
27 attorney Michael Flynn and for almost two years for California
28 attorney Ford Greene (to the present), I have observed

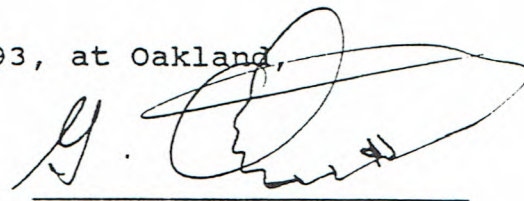
1 Scientology's litigation practices. Scientology regularly
2 attempts to bludgeon the opposition into submission with a
3 blizzard of meritless paper, motions, depositions, appeals,
4 writs, Bar complaints, criminal complaints, perjured testimony,
5 and other improper and abusive tactics.

6 9. I am also aware that Scientology uses an attack
7 strategy against judges who rule against it, which includes
8 claims of bias and prejudice and frequently personal attacks.
9 For instance, in my case, Church of Scientology of California
10 v. Armstrong, L.A. Superior Court No. C 420153, Scientology
11 twice tried unsuccessfully to disqualify Judge Breckenridge
12 from the case because of alleged bias, and levied personal
13 attacks on him, accusing him publicly of Nazi affiliation.
14 Similarly, in Aznaran v. Church of Scientology of California,
15 U.S.D.C. C.D.Cal # CV-88-1786-JMI, Scientology unsuccessfully
16 attempted to recuse Judge James Ideman because of alleged bias.

17 10. Attached to this declaration as Exhibit C is a true
18 copy of the June 20, 1984 decision by Judge Paul G.
19 Breckenridge, Jr., in the case of Church of Scientology of
20 California v. Gerald Armstrong, L.A. Superior Court No. C
21 420153, which was affirmed on appeal at 232 Cal.App.3d. 1060,
22 283 Cal.Rptr. 917 (1991).

23 I declare, under penalty of perjury, that the foregoing is
24 true and correct.

25 Executed this 4th day of June, 1993, at Oakland,
26 California.

27 
28 Gerald Armstrong